

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

CALVIN L. FULBRIGHT,

Petitioner,

CASE NO. 03-CV-70845

-vs-

PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

LINDA METRISH,

Respondent.

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**ORDER DENYING PETITIONER'S REQUEST FOR BOND**

Petitioner Calvin Fulbright ("Petitioner"), a Michigan prisoner, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in 2003. The case was initially held in abeyance at Petitioner's request to allow him to fully exhaust state court remedies. Petitioner subsequently filed an amended petition and the case was re-opened. Respondent has since filed an answer to the amended petition. This matter is before the Court on Petitioner's request for bond.

The United States Court of Appeals for the Sixth Circuit has stated that to receive bond pending a decision in a federal habeas case,

prisoners must be able to show not only a substantial claim of law based on the facts surrounding the petition but also the existence of 'some circumstance making [the motion for bail] exceptional and deserving of special treatment in the interests of justice.' There will be few occasions where a prisoner will meet this standard.

*Lee v. Jabe*, 989 F.2d 869, 871 (6th Cir. 1993) (internal citations omitted). Federal district courts may grant bail when granting the writ. *Sizemore v. District Ct.*, 735 F.2d 204, 208 (6th Cir. 1984). However, to grant bond prior to making a determination on the merits is extraordinary. *See Moore v. Egeler*, 390 F. Supp. 205, 207 (E.D. Mich. 1975). Having reviewed Petitioner's

motion, the Court is not persuaded at this time that the interests of justice require release on bond pending the resolution of this case. Petitioner's motion is therefore **DENIED**.

**SO ORDERED.**

s/Paul D. Borman  
PAUL D. BORMAN  
UNITED STATES DISTRICT JUDGE

Dated: June 29, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on June 29, 2007.

s/Denise Goodine  
Case Manager